

**DECISION RECORD
SUMMIT SPRING RECONSTRUCTION PROJECT
MINERAL COUNTY, NEVADA**

**Environmental Assessment
DOI-BLM-NV-C010-2013-0006-EA**

BACKGROUND

The Bureau of Land Management, Carson City District, Stillwater Field Office (BLM) proposed to remove and replace the existing riparian enclosure fence, spring head box, water pipeline and troughs at Summit Spring. The condition of the existing range improvements are beyond regular maintenance and require removal and reconstruction to prevent the continual heavy degradation of the spring source and adjacent riparian habitats.

The proposed project area is located at T. 11 N, R. 28 E., section 18 S/W ¼, on the west side of the Wassuk Mountain Range in Mineral County, Nevada (See Map in the EA Appendix). Summit Springs was incorrectly named on the current BLM 2006 Surface Management Status 1:100,000-Scale Topographic Map as Abraham Spring and will be corrected during the next BLM map updating cycle.

Implementation of the Proposed Action would improve the availability, quantity and quality of wet meadow/riparian habitat; provide a dependable water source for wildlife, wild horses, and livestock to ensure healthy rangelands. The Proposed Action would restore a multiple use relationship between livestock, wild horses and wildlife within this portion of the Gray Hills Grazing Allotment. Renovating the existing Summit Spring range improvements would reduce impacts to the riparian area and reduce wild horse injuries and fatalities. The Proposed Action would assist the BLM to make progress in attaining the management objectives identified in the Carson City Consolidated Resources Management Plan (CRMP) and the Standards for Rangeland Health & Guidelines for Grazing Management (S&Gs) in the Sierra Front Northwestern Great Basin Area.

All waters of the State of Nevada belong to the public and may be appropriated for beneficial use under the provisions of Nevada Revised Statutes (NRS) Chapters 533 and 534 and not otherwise. The water rights located at the project area are held by the permittee of the Gray Hills Allotment.

The Environmental Assessment (EA) DOI-BLM-NV-C010-2013-0006 analyzed the site specific potential impacts that could result from the implementation of the Proposed Action and No Action Alternative. The Summit Spring Reconstruction Project EA evaluated the impacts on the natural and human environment that could result from implementation of the reconstruction range improvement and riparian habitat enhancement project on federal land. The determination of environmental risk is resource-specific and is based on a number of factors, including the presence and the extent of resources in the surrounding area, and the quality of existing data. Based on the EA it was determined that the Proposed Action will not have a significant effect on the human environment and an environmental impact statement (EIS) will not be prepared.

DECISION

I have determined from the analysis in the Summit Spring Reconstruction Project DOI-BLM-NV-C010-2013-0006-EA that the implementation of the Proposed Action will not have significant environmental impacts beyond those already addressed in the EA. The Proposed Action is not a major federal action, and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. Based on the analysis in the Summit Spring Reconstruction Project DOI-BLM-NV-C010-2013-0006-EA, it is my decision to implement the Proposed Action.

AUTHORITY

The Proposed Action meets the criteria described in the Federal Land Policy and Management Act of 1976 to prevent undue and unnecessary degradation of public land, the 43 CFR 4100, Public Rangelands Improvement Act of 1978 and the Wild Free-Roaming Horse and Burro Act of 1971 as Amended. The Proposed Action and alternatives are in conformance with the Carson City District Office Consolidated Resource Management Plan (CRMP) 2001, Livestock Grazing pages LSG-1 and LSG-2 and desired outcomes for Livestock Grazing (as listed in the EA). The Proposed Action is consistent with Federal laws and regulations, plans, programs and policies of affiliated tribes, other Federal agencies, State and local governments.

PUBLIC INVOLVEMENT

The EA was made available for a 30-day public review and comment period on October 31, 2012 until November 29, 2012. The EA was made available by hard copy at the Carson City District Office and the website at:

http://www.blm.gov/nv/st/en/fo/carson_city_field/blm_information/nepa.html.


All comments received were reviewed, considered and responded to by the BLM Stillwater Field Office. Additional minor analysis, environmental data and explanation have been included in the Final EA in response to public review and comments received.

RATIONALE

Upon analyzing the impacts of the Proposed Action Alternative and following issuance of the EA for public review, I have determined that implementing the Proposed Action will not have a significant impact to the human environment and that an environmental impact statement is not required. Refer to the Finding of No Significant Impact (FONSI).

APPROVAL

The Summit Spring Reconstruction Project DOI-BLM-NV-C010-2013-0006-EA is approved for implementation. This decision is effective upon issuance in accordance with the 43 CFR 4100 and 4120.


Teresa J. Knutson
Manager,
Stillwater Field Office

12/10/2012
Date

APPEAL PROCEDURES

If you wish to appeal this decision, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Teresa J. Knutson, Stillwater Field Manager
BLM, Carson City District Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal.

Copies of the notice of appeal and petition for a stay must also be submitted to:

Interior Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals, therefore they will not be accepted.